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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of: **KASAHARA, Hidemitsu, et al.**

Group Art Unit: 1794

Serial No.: 10/537,376

Examiner: **PRATT, Helen F.**

Filed: **June 3, 2005**

P.T.O. Confirmation No.: 3565

For: **Calcium Phosphate Base Particulate Compound, Production Method of the Same, and Composition Containing the Compound**

RESPONSE TO THE RESTRICTION REQUIREMENT
DATED September 2, 2008

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Date: September 26, 2008

Sir:

This paper is submitted in response to the Official Action dated **September 2, 2008**.

In the Action, restriction is required between Group (I), Claims 1-4, 11,12,13 and16; Group (II), Claim 5; and Group (III), Claims 9 and 10. The Examiner has not specified the Group for the following Claims: 6-8, 14, 15, 17-20. Thus, Applicants assumed that Group (I) also contains Claims 6-8, 14 and 15; and Group (III) also contains Claims 17-20. The Examiner has also made an Election of Species Requirement between Claims 15 and 16.

Applicants hereby elect the subject matter of Group (I), Claims 1-4, 6-8, 11-16, for prosecution in this application. In response to the Election of Species Requirement, the applicants provisionally elect to prosecute the species embodying Species of Claim 15. This election is made without traverse, it being understood that the applicants' rights to the filing of a divisional application directed to the non-elected subject matter under 35 USC 120 and 35 USC 121 are retained.

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In the event that this paper is not timely filed, applicants hereby petition for an appropriate extension of time. The fee for any such extension may be charged to our Deposit Account No. 01-2340.

In the event any additional fees are required in connection with this response, please charge our Deposit Account No. 01-2340.

Respectfully submitted,

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DWH/evb

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PATENT & TRADEMARK OFFICE